

Application No. 09/964,562

Attorney Docket 040679-1367

REMARKS

In further consideration of the Office Action mailed June 3, 2003 and supplemental to the Amendment and Reply filed October 3, 2003, applicants request entry and consideration of this Supplemental Amendment. Claims 1-45 were pending in the application, with claims 23-29 being provisionally withdrawn. Claims 1 and 12 have been amended and no claims have been canceled or newly added. Therefore, claims 1-45 are pending in the application with claims 23-29 being currently provisionally withdrawn from consideration. The remarks presented in the Amendment and Reply filed October 3, 2003, are incorporated herein by reference.

Applicants' representative sincerely thanks the examiner for the productive interview conducted on October 20, 2003. In the interview, the instant amendments to claim 1 were discussed with respect to the Grell (U.S. Patent No. 5,670,265) and Ward (U.S. Patent No. 6,318,898) references and the features presented in the instant amendments were believed to distinguish over these references as discussed further herein.

This amendment changes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

Amended claims 1 recites that the thickness of the nickel-based coat is not less than the arithmetical mean roughness Ra of the rolling contact surfaces (i.e., the coat is thicker). This recited feature is supported at least at page 6, lines 21-25 and page 14, lines 4-8 of the specification. This specific relationship is not taught or suggested by any of the applied references. Specifically, neither Nakano (U. S. Patent No. 4,955,246) or Ward disclose anything related to this claimed limitation. Grell specifically teaches the opposite of the claimed relationship since it discloses that anti-corrosive coating being thinner than the surface roughness which the hardened component had before application of the protective coating. See, e.g., col. 1, lines 39-42 of Grell. Furthermore, Grell teaches that this thin coating is important to its principle of operation since it requires that the "applied anti-corrosive coating penetrates into the roughness profile of the surface and this exercises no negative influence on the tolerances of the component." See col. 2, lines 11-16 of Grell.

Application No. 09/964,562

Attorney Docket 040679-1367

Therefore, claim 1 and claim 12 (which recites a similar limitation) are believed to be allowable over the applied prior art.

The dependent claims are also in condition for allowance for at least the same reasons, as discussed above, as the respective independent claim on which they ultimately depend. In addition, they recite additional patentable features when considered as a whole. In addition, claims 4, 5, 15, and 16, and all claims dependent therefrom are also in condition for allowance as discussed in the amendment and reply filed on October 3, 2003.

In view of the foregoing amendments and remarks, applicants respectfully request entry and consideration of the instant amendment and reply because it is believed to place the application in condition for allowance. If there are any questions regarding the application, or if an examiner's amendment would facilitate the allowance of one or more of the claims, the examiner is invited to contact the undersigned attorney at the local telephone number below.

Respectfully submitted,

Date October 27, 2003

FOLEY & LARDNER

Customer Number: 22428

Telephone: (202) 945-6162

Facsimile: (202) 672-5399

By Aaron C. ChatterjeeRichard L. Schwaab
Registration No. 25,479Aaron C. Chatterjee
Registration No. 41,398

Attorneys for Applicants

Should additional fees be necessary in connection with the filing of this paper, or if a petition for extension of time is required for timely acceptance of same, the Commissioner is hereby authorized to charge deposit account No. 19-0741 for any such fees; and applicants hereby petition for any needed extension of time.

RECEIVED
CENTRAL FAX CENTER
OCT 27 2003

OFFICIAL